

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 443
102ND GENERAL ASSEMBLY

0942H.02C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 307.179 and 307.380, RSMo, and to enact in lieu thereof three new sections relating to motor vehicle safety, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 307.179 and 307.380, RSMo, are repealed and three new sections
2 enacted in lieu thereof, to be known as sections 43.253, 307.179, and 307.380, to read as
3 follows:

43.253. 1. Notwithstanding any other provision of law to the contrary, a
2 **minimum fee of six dollars may be charged by the Missouri state highway patrol for a**
3 **records request for a Missouri Uniform Crash Report or Marine Accident Investigation**
4 **Report where there are allowable fees of less than six dollars under this chapter or**
5 **chapter 610. Such six-dollar fee shall be in place of any allowable fee of less than six**
6 **dollars.**

7 **2. The superintendent of the Missouri state highway patrol may increase the**
8 **minimum fee described in this section by no more than one dollar every other year**
9 **beginning August 28, 2024; however, the minimum fee described in this section shall not**
10 **exceed ten dollars.**

307.179. 1. As used in this section, the following terms shall mean:
2 (1) "Child booster seat", a seating system which meets the Federal Motor Vehicle
3 Safety Standards set forth in 49 C.F.R. 571.213, as amended, that is designed to elevate a
4 child to properly sit in a federally approved safety belt system;
5 (2) "Child passenger restraint system", a seating system which meets the Federal
6 Motor Vehicle Safety Standards set forth in 49 C.F.R. 571.213, as amended, and which is

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

7 either permanently affixed to a motor vehicle or is affixed to such vehicle by a safety belt or a
8 universal attachment system;

9 (3) "Driver", a person who is in actual physical control of a motor vehicle.

10 2. Every driver transporting a child under the age of sixteen years shall be
11 responsible, when transporting such child in a motor vehicle operated by that driver on the
12 streets or highways of this state, for providing for the protection of such child as follows:

13 (1) **Children shall be secured in a rear-facing child passenger restraint system**
14 **until the child reaches two years of age, except that a child under two years of age may**
15 **be secured in a forward facing system when the child reaches the highest rear-facing**
16 **weight or height allowed by the manufacturer of the particular car safety seat;**

17 (2) Children less than four years of age, regardless of weight, shall be secured in a
18 child passenger restraint system appropriate for that child;

19 ~~[(2)]~~ (3) Children weighing less than forty pounds, regardless of age, shall be secured
20 in a child passenger restraint system appropriate for that child;

21 ~~[(3)]~~ (4) Children at least four years of age but less than eight years of age, who also
22 weigh at least forty pounds ~~[but less than eighty pounds, and who are also less than four feet,~~
23 ~~nine inches tall]~~, shall be secured in a child passenger restraint system or booster seat
24 appropriate for that child;

25 ~~[(4)]~~ (5) Children at least eighty pounds; ~~[or children]~~ more than four feet, nine
26 inches in height; **and at least eight years of age** shall be secured by a vehicle safety belt ~~[or~~
27 ~~booster seat appropriate for that child]~~ **according to section 307.178; and**

28 ~~[(5)]~~ (6) A child who otherwise would be required to be secured in a booster seat may
29 be transported in the back seat of a motor vehicle while wearing only a lap belt if the back
30 seat of the motor vehicle is not equipped with a combination lap and shoulder belt for booster
31 seat installation[;

32 ~~(6) When transporting children in the immediate family when there are more children~~
33 ~~than there are seating positions in the enclosed area of a motor vehicle, the children who are~~
34 ~~not able to be restrained by a child safety restraint device appropriate for the child shall sit in~~
35 ~~the area behind the front seat of the motor vehicle unless the motor vehicle is designed only~~
36 ~~for a front seat area. The driver transporting children referred to in this subsection is not in~~
37 ~~violation of this section].~~

38

39 This subsection shall only apply to the use of a child passenger restraint system or vehicle
40 safety belt for children less than sixteen years of age being transported in a motor vehicle.

41 3. Any driver who violates ~~[subdivision (1), (2), or (3) of subsection 2 of]~~ this section
42 is guilty of an infraction and, upon conviction, may be punished by a fine of not more than
43 fifty dollars and court costs. ~~[Any driver who violates subdivision (4) of subsection 2 of this~~

~~44 section shall be subject to the penalty in subsection 6 of section 307.178. If a driver receives a
45 citation for violating subdivision (1), (2), or (3) of subsection 2 of this section, the charges
46 shall be dismissed or withdrawn if the driver prior to or at his or her hearing provides
47 evidence of acquisition of a child passenger restraint system or child booster seat which is
48 satisfactory to the court or the party responsible for prosecuting the driver's citation.]~~

49 4. The provisions of this section shall not apply to any public carrier for hire. The
50 provisions of this section shall not apply to students four years of age or older who are
51 passengers on a school bus designed for carrying eleven passengers or more and which is
52 manufactured or equipped pursuant to Missouri Minimum Standards for School Buses as
53 school buses are defined in section 301.010.

54 5. The highways and transportation commission shall initiate and develop a program
55 of public information to develop understanding of, and ensure compliance with, the
56 provisions of this section.

307.380. 1. Every vehicle of the type required to be inspected upon having been
2 involved in an accident and when so directed by a police officer must be inspected and an
3 official certificate of inspection and approval, sticker, seal or other device be obtained for
4 such vehicle before it is again operated on the highways of this state.

5 2. At the seller's expense every used motor vehicle of the type required to be
6 inspected by section 307.350 shall immediately prior to sale be fully inspected regardless of
7 any current certificate of inspection and approval, and an appropriate new certificate of
8 inspection and approval, sticker, seal or other device shall be obtained **no more than sixty**
9 **days prior to the date of sale. Such inspection shall not be required for a motor vehicle**
10 **having less than forty thousand miles for the three-year period following the model year**
11 **of manufacture. The seller shall present the certificate of inspection and approval to the**
12 **buyer at the point of sale and the buyer shall be required to submit the certificate of**
13 **inspection when applying for registration of the vehicle.**

14 [2-] 3. Nothing contained in the provisions of this section shall be construed to
15 prohibit a dealer or any other person from selling a vehicle without a certificate of inspection
16 and approval if the vehicle is sold for junk, salvage, or for rebuilding, or for vehicles sold at
17 public auction or from dealer to dealer. The purchaser of any vehicle which is purchased for
18 junk, salvage, or for rebuilding shall give to the seller an affidavit, on a form prescribed by the
19 superintendent of the Missouri state highway patrol, stating that the vehicle is being
20 purchased for one of the reasons stated herein. No vehicle of the type required to be inspected
21 by section 307.350 which is purchased as junk, salvage, or for rebuilding shall again be
22 registered in this state until the owner has submitted the vehicle for inspection and obtained
23 an official certificate of inspection and approval, sticker, seal or other device for such vehicle.

24 ~~[3.]~~ 4. Notwithstanding the provisions of section 307.390, violation of this section
25 shall be deemed an infraction.

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